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*Attorneys for Plaintiffs and the Putative Class*

(Additional counsel listed on following page)

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

JUAN FLORES-MENDEZ, an individual and  
AMBER COLLINS, an individual, and on  
behalf of classes of similarly situated  
individuals,

Plaintiffs,

v.

ZOOSK, INC., a Delaware corporation,

Defendant.

**CASE NO: 3:20-cv-04929-WHA**

**DECLARATION OF KILEY LYNN  
GROMBACHER IN SUPPORT OF  
PLAINTIFFS' LIMITED OPPOSITION  
TO DEFENDANT'S MOTION FOR  
DISMISSAL OF PLAINTIFF AMBER  
COLLINS' CLAIMS PURSUANT TO  
FED.R.CIV.PRO. 21(b)**

Date: March 24, 2022  
Time: 8:00 a.m.  
Court: Courtroom 12, 19th Floor  
Hon. William Alsup



1 **Additional Counsel for Plaintiffs and the Putative Class:**

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1 I, Kiley L. Grombacher, Declare:

2 1. I am an attorney licensed to practice before all courts of the state of California. I  
3 am a member in good standing of the state bar of California and admitted to practice before this  
4 court. I am counsel for plaintiffs Juan Flores-Mendez and Amber Collins ("Plaintiffs") in this  
5 proposed class action.

6 2. This declaration is filed in limited opposition to the Motion for Dismissal of  
7 Plaintiff Amber Collins' Claims Pursuant to Fed.R.Civ.Pro. 21(b).

8 3. Plaintiff Collins filed this action on July 22, 2020, as one of two putative class  
9 representatives.

10 4. During the pendency of this action, Plaintiff Amber Collins ("Plaintiff Collins")  
11 has participated in the litigation. Such participation included searching for documents and working  
12 with her counsel to respond to discovery and supplement such discovery.

13 5. While Plaintiff Collins communicated with our office fairly routinely at the  
14 inception of the litigation, all response and communication effectively ceased in or about  
15 December of 2021. Our office repeatedly attempted to communicate with and locate Plaintiff  
16 Collins to no avail.

17 6. To assist in the effort to locate Plaintiff Collins, our office retained a private  
18 investigator. On January 27, 2022, we received a report from the investigator informing us that  
19 Plaintiff Collins was in the custody of the Ventura County Sheriff's Department.

20 7. Our internal investigation confirmed such information. Attached hereto as Exhibit  
21 A is a true and correct copy of a print out from the Ventura County Superior Court regarding  
22 Plaintiff Collins.

23 8. On February 3, 2022, I was permitted a non-contact visit with Plaintiff Collins. She  
24 has agreed to dismissal of this action without prejudice.

25 9. Attached hereto as Exhibit B is a true and correct copy of email serving  
26 Defendant with Plaintiff's signed verifications as to her response to Special Interrogatories.

27 I declare under penalty of perjury under the laws of the United States of America and the  
28



1 State of California that the foregoing is true and correct and to my best knowledge.

2 Executed this 11<sup>th</sup> day of February, 2022 at Westlake Village, California.

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/s/ Kiley L. Grombacher

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Kiley L. Grombacher

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